

REMARKS

Claim 1 was amended to make explicit that which was implicit in the claims, namely, the liquid pregel mixture does not cause substantial occlusion of the perforations of the substrate because the web is coated with a coating having a surface energy less than the surface energy of the liquid pregel mixture. This amendment is supported by the specification at page 3, lines 1523. The amendment to claim 1 specifying that the perforated substrate is for use as a wound dressing is supported throughout the specification (see for example page 3, line 12). The amendment to claim 1 specifying the material of the web is supported by original claim 7. The amendment to claim 1 specifying the composition of the coating is supported by original claim 8. Claims 2-17, 22, 24-38 and 40-41 were amended to incorporate a preferred recitation. This recitation is supported throughout the specification and original claim 18 (see for example page 1, line 26-27). Claims 20, 37, 38 and 40-42 were amended to specify that the article is a wound dressing; this amendment is supported throughout the specification (see for example page 3 at line 12). Claims 38 and 40-43 have been amended to specify that the gel is a hydrogel. This is supported throughout the specification (see for example page 4 at lines 26-31). New claim 45 is supported in the specification at page 2. New claim 46 is supported by claim 1, and page 2, lines 18-20. As such these amendments do not constitute new matter and their entry is respectfully requested.

Applicant appreciates the courtesies extended to him and the undersigned by SPE Hartley and Examiner Gollamudi at their interview of February 24, 2004.

During that interview, applicants discussed why they believe the claims were not anticipated or rendered obvious by the prior art.

Turning specifically to the office action, applicants have the following comments.

Claims 8 and 29 were rejected pursuant to 35 U.S.C, §112, second paragraph.

The Examiner indicated that the term "PTFE" was indefinite. Applicants respectfully submit that those skilled in the art know that PTFE is the standard abbreviation for polytetrafluoroethylene. In order to expedite prosecution, applicants have amended the claims to reflect such understanding.

Accordingly, applicants respectfully submit that this rejection has been obviated.

Claims 1-6, 9, 12, 15, 17, 18, 21, 24-27 and 42 were rejected under 35 U.S.C., §102(b) as being anticipated by WO 97/42985.

Applicants respectfully submit that this rejection should be withdrawn for the following reasons.

The present invention is directed to a method for preparing a perforated wound dressing coated with a gel, without substantial occlusion of the perforations. As indicated on page 4, lines 26 – 31, typical gels for use as dressing coatings include hydrogels, formed for example by an aqueous liquid pregel mixture of one or more monomers. The method of coating the dressing involves placing a layer of the liquid pregel mixture on a pre-coated web, which has a lower surface energy than the surface energy of the liquid pregel mixture. A typical web coating is

silicone, which creates a hydrophobic surface on the web. As described on page 3, lines 15 – 23 of the specification, the difference in the surface energy of the web coating and that of the liquid pregel, which is higher, contributes importantly to the creation of the substantially unoccluded perforations of the final coated wound dressing. Thus, the web coating is typically a hydrophobic coating such as silicone, whereas the dressing coating, i.e. the gel, is preferably a hydrophilic hydrogel, formed from an aqueous liquid pregel mixture.

In contrast, WO 97/42985 describes a wound dressing wherein the dressing comprises a layer of absorbent foam material (see page 1, lines 24-25) which is coated with a hydrophobic coating such as silicone (see page 5, lines 7-16). Furthermore as indicated by the Examiner, the material equivalent to the web is a thin plastic film (see page 9, lines 2-4). Unlike the present invention, wherein the web is pre-coated (e.g. with silicone), the web of the WO 97/42985 is not coated prior to its use to apply the dressing coating to the dressing. Moreover, the gel coating of the present invention is a hydrophobic gel. Applicants respectfully submit that a wound dressing having all these characteristics was not suggested by the prior art. However, in order to expedite prosecution applicants have made explicit that which was implicit. Thus, for example as amended claim 1 does not describe a web of the WO 07/429853 either because of the web itself or the coating on the web. The dependent claims would similarly not be anticipated. Similarly, the process of claim 46 specifies that the perforated substrate is not a film. The wound dressing composition of claim 42 specifies that the gel is a hydro-filled gel. Thus, the rejection of all these claims should be withdrawn.

Claims 23 and 42 were rejected pursuant to 35 U.S.C. §102(b) as being anticipated by Brassington. Applicants respectfully submit that this rejection should be withdrawn for the following reasons.

The dressing of Brassington does not in any way teach the present invention. The dressing of Brassington uses a silicone gel. Moreover, as explained in Brassington at column 2, lines 32-35 the fibers are encapsulated by the silicone gel. Thus, they do not describe a situation wherein only one side of the substrate is coated by the gel. The discussion the Examiner is citing to does not change the issue of encapsulation; rather, it is talking about layers on the pad. However, such a pad would still be coated on both sides because it is encapsulated in silicone. Thus, although Applicants are claiming a more preferred embodiment, such amendment is not necessary to overcome this reference.

Claim 7-8, 19, 22-23, 28-30 and 43-44 were rejected under 35 U.S.C. §103(a) as being unpatentable over WO 97/42985 in view of Jensen.

WO 97/42985 in no way teaches or suggests using a web with a surface energy lower than the surface energy of the liquid pregel mixture to avoid substantial occlusions in the perforated substratum. However, as the present application teaches at page 3 and from the examples, the difference in surface energy between the pregel and the web results in the pregel reticulating so that perforations become free on the pregel. There is nothing in Jensen that in any way teaches or suggests this either. Moreover, the combination simply does not provide any motivation to modify the WO process to generate the present invention. Indeed, the WO would

teach away from changing the web because the gel that is taught in WO is taught for having a much lower than normal specific adhesiveness. This is taught as an advantage so that the gel of the dressing can be repeatedly removed from the skin. Thus, the skilled artisan would in fact be taught to do nothing to further weaken the bond between this already weak adhesive gel and the substrate. This would result in running the risk of insufficient adhesion between the two parts. Accordingly, the combination in no way would suggest the present invention.

In response to applicants' previous response, the Examiner indicated that the claims did not specifically refer to this advantage of using a web coated with a coating having a surface energy less than the surface energy of the liquid pregel mixture to prevent substantial occlusion of the perforations. Although applicants disagree with the Examiner, the Amendment to the claim has made explicit that which was implicit and thus applicants believe that this rejection should be withdrawn.

Claims 1-10, 12-31 and 42-44 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cheong in view of Jensen.

The Examiner acknowledged that Cheong does not teach a coated web. Thus, it certainly does not teach using a web having a relatively low surface energy on which the gel is applied. Jensen in no way overcomes that deficiency. While Cheong does look at avoiding excessive occlusion of pores, it does so by an entirely different matter. Rather, Cheong completely encapsulates the substrate and then uses a range of methods such as blowing air to avoid occlusion. Specifically stating at column 5, lines 13-20:

The net dressing of the present invention is preferably produced in a continuous process wherein a web of the net substrate is passed through the nip of a pair of coating rollers, wherein the polyurethane resin is applied to the substrate. If desired, on emerging from the nip, the coated substrate may be subjected to a blast of air to reopen any apertures which may have been occluded during the coating.

Moreover, the Cheong process results in encapsulating the substrate. Thus, it is an entirely different process than the method of the present invention, or the Jensen method, and in no way teaches or suggests the present invention. Indeed, there would be no motivation to combine the two. Cheong at claim 6, lines 8-13 states that the dressings of his invention are "very conformable because the net substrate is pliant and because the coated resin does not significantly reduce this pliancy". Thus, Cheong is envisioning a pliant and conformable dressing, and not a contorted dressing.

The Examiner's response to this argument contended that the present claims did not indicate that "the web is used to prevent occlusion of the substrate pores". Although applicants disagree with the Examiner in view of the statement in part (i) of the claim, they have now made explicit that which was implicit. Thus, applicants submit that for all the reasons given, this rejection of the claims should be withdrawn.

Claims 11 and 32-41 were also rejected under 35 U.S.C. 103(a) as being unpatentable over Cheong in view of Jensen and further view of Kundel.

Applicants respectfully submit that this rejection should be withdrawn for the following reasons.

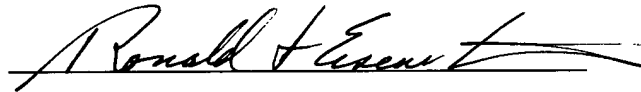
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As explained above, the combinations of Cheong and Jensen does not teach or suggest the present invention. The addition of Kundel in no way overcomes this deficiency.

Accordingly, applicants respectfully submit that all claims are in condition for allowance. Early and favorable action is requested.

Respectfully submitted,

Date: 3/29/04

A handwritten signature in dark ink, appearing to read "Ronald I. Eisenstein", written over a horizontal line.

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